

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

John W. Miller, Plaintiff,

v.

Apple, Inc., Defendant.

Case No.: 25-CV-1172 (JPC) (RFT)

**NOTICE OF VIOLATION OF PRIOR COURT ORDER AND IMPROPER
PARTICIPATION OF DEFENSE COUNSEL**

TO THE HONORABLE COURT:

Plaintiff **John W. Miller, pro se**, respectfully submits this **Notice of Violation of Prior Court Order and Improper Participation of Defense Counsel**, and states as follows:

1. In case **3:20-cv-00844**, before the U.S. District Court for the District of South Carolina, Magistrate Judge **Paige J. Gossett** entered **Docket Text Order No. 134** on **January 26, 2022**, granting **Apple, Inc.'s Motion to be Relieved from Mediation (ECF No. 121)**. This motion was **granted without opposition**, thereby excusing Apple, Inc. from further litigation obligations in that case.
2. Despite the prior **federal court ruling excusing Apple from litigation**, Defendant **Apple, Inc. has now engaged legal counsel in this action (SDNY Case No. 25-CV-1172) who is simultaneously representing Sunil Sing.**
3. This represents a **direct contradiction of the prior order** in South Carolina, as Apple, Inc. was **relieved from litigation obligations**, yet now appears through counsel who is attempting to litigate against the Plaintiff in SDNY.
4. This raises serious **procedural and ethical concerns**, as Apple, Inc. is attempting to re-enter litigation through counsel despite previously being excused from doing so. **Their legal strategy appears inconsistent with the prior ruling, and may constitute bad faith participation in this case.**
5. Plaintiff respectfully requests that this Court:
 - Take **Judicial Notice** of the prior **Docket Text Order (ECF No. 134)** issued by Magistrate Judge **Paige J. Gossett** in case **3:20-cv-00844**;
 - Require Defendant **Apple, Inc. to explain why its participation in this matter does not violate the prior ruling** excusing them from litigation obligations;
 - **Disqualify Apple's legal counsel from this case** if they are found to be improperly engaging in litigation despite the prior Order;

- Issue any further relief the Court deems just and necessary to ensure procedural fairness.

WHEREFORE, Plaintiff **notifies the Court of this procedural violation** and respectfully requests appropriate judicial intervention to prevent improper litigation participation in this case.

Dated: **March 20, 2025**

Respectfully submitted,

/s/ **John W. Miller**

John W. Miller, Pro Se

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EXHIBIT # 1

01/26/2022	134	DOCKET TEXT ORDER granting without opposition 121 Motion to be relieved from mediation. Entered at the direction of Magistrate Judge Paige J. Gossett on 1/26/2022. (kkus,) (Entered: 01/26/2022)
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